

EIGHTY-THIRD DAY

St. Paul, Minnesota, Friday, April 4, 2014

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Bakk imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Richard Carlson.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators answered to their names:

| | | | | |
|----------|-----------|--------------|--------------|---------|
| Anderson | Eaton | Hoffman | Newman | Sieben |
| Bakk | Eken | Ingebrigtsen | Nienow | Skoe |
| Bonoff | Fischbach | Jensen | Pederson, J. | Stumpf |
| Champion | Franzen | Johnson | Pratt | Weber |
| Clausen | Goodwin | Koenen | Rest | Westrom |
| Cohen | Hall | Latz | Saxhaug | Wiger |
| Dahle | Hann | Limmer | Scalze | Wiklund |
| Dibble | Hawj | Lourey | Schmit | |
| Dziedzic | Hayden | Marty | Sheran | |

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 2, 2014

The Honorable Sandra L. Pappas
President of the Senate

Dear Senator Pappas:

The Subcommittee on Committees met on April 2, 2014, and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 2012

138.763: Saint Anthony Falls Heritage Board - Senators Dziejdzic and Champion to serve at the pleasure of the appointing authority.

116P.05: Legislative-Citizen Commission on Minnesota Resources - Gary Lamppa to serve from May 14, 2014 until May 14, 2018.

Sincerely,
Thomas M. Bakk
Chair, Subcommittee on Committees
State Senator, District 3

April 3, 2014

The Honorable Sandra L. Pappas
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter 154, S.F. No. 2100 and Chapter 155, S.F. No. 1892.

Sincerely,
Mark Dayton, Governor

April 3, 2014

The Honorable Paul Thissen
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2014 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S.F. No. | H.F. No. | Session Laws Chapter No. | Time and Date Approved 2014 | Date Filed 2014 |
|-------------|-------------|-----------------------------|-----------------------------------|--------------------|
| | 2385 | 153 | 1:33 p.m. April 3 | April 3 |
| 2100 | | 154 | 1:35 p.m. April 3 | April 3 |
| 1892 | | 155 | 1:36 p.m. April 3 | April 3 |

Sincerely,
Mark Ritchie
Secretary of State

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 3172.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 3, 2014

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 3172: A bill for an act relating to state government; providing supplemental appropriations for higher education, jobs and economic development, public safety, corrections, transportation, environment, natural resources, and agriculture, kindergarten through grade 12 and adult education, health and human services; making forecast adjustments; modifying prior appropriations; modifying disposition of certain revenues; dedicating money to the Board of Trustees of the Minnesota State Colleges and Universities for compensation costs associated with settlement of employment contracts; dedicating certain funds for homeownership opportunities for families evicted or given notice of eviction due to a disabled child in the home; requiring the housing finance agency to improve efforts to reduce racial and ethnic inequalities in homeownership rates; creating an office of regenerative medicine development; modifying workforce program outcomes; creating job training programs; providing funding for the Minnesota Racing Commission; providing a grant to the Mille Lacs Tourism Council; funding Peace Officer Standards and Training Board; modifying certain provisions pertaining to victims of domestic violence and sentencing for criminal sexual conduct; continuing the fire safety advisory committee; providing for disaster assistance for public entities when federal aid is granted and when federal aid is absent; establishing certain transportation oversight authority; modifying provisions for railroad and pipeline safety; modifying certain transportation provisions; providing compensation for bee deaths due to pesticide poisoning; establishing pollinator emergency response team; providing nonresident off-highway motorcycle state trail pass; requiring certain recycling; modifying solid waste reduction; regulating harmful chemicals in children's products; providing for state parks and trails license plates, and licensing and inspection of commercial dog and cat breeders; providing for invasive terrestrial plants and pests center; providing funding and policy modifications for early childhood, kindergarten through grade 12, and adult education, including general education, education excellence, special education, facilities, nutrition, community education, self-sufficiency and lifelong learning, and state agencies; making changes to provisions governing the Department of Health, Department of Human Services, children and family services, continuing care, community first services and supports, health care, public assistance programs, and chemical dependency; providing for unborn child protection; modifying the hospital payment system; modifying provisions governing background studies and home and community-based services standards; setting fees; providing rate increases; establishing grant programs; modifying medical assistance provisions; modifying the use of positive support strategies and emergency manual restraint; providing for certain grants; defining terms; creating accounts; requiring reports; providing penalties; authorizing rulemaking; amending Minnesota Statutes 2012, sections 12.03, by adding subdivisions; 12.221, subdivision 4, by adding a subdivision; 12A.02, subdivision 2, by

adding subdivisions; 12A.03, subdivision 3; 12A.15, subdivision 1; 13.46, subdivision 4; 13.643, subdivision 6; 13.7411, subdivision 8; 13.84, subdivisions 5, 6; 16A.28, by adding a subdivision; 18B.01, by adding subdivisions; 18B.03, by adding a subdivision; 18B.04; 84.788, subdivision 2; 85.053, subdivision 2; 85.34, subdivision 7; 85A.02, subdivision 2; 103G.271, subdivision 6; 115A.151; 115A.55, subdivision 4; 115A.551, subdivisions 1, 2a; 115A.557, subdivisions 2, 3; 115B.39, subdivision 2; 115E.01, by adding subdivisions; 115E.08, by adding subdivisions; 116.9401; 116.9402; 116.9403; 116.9405; 116.9406; 116L.98; 119B.09, subdivision 9a, by adding a subdivision; 121A.19; 122A.40, subdivision 13; 122A.41, subdivision 6; 122A.415, subdivision 1; 123A.05, subdivision 2; 123A.485; 123A.64; 123B.57, subdivision 6; 123B.71, subdivisions 8, 9; 124D.09, subdivisions 9, 13; 124D.111, by adding a subdivision; 124D.16, subdivision 2; 124D.522; 124D.531, subdivision 3; 124D.59, subdivision 2; 125A.76, subdivision 2; 126C.10, subdivisions 25, 26; 127A.45, subdivisions 2, 3; 127A.49, subdivisions 2, 3; 129C.10, subdivision 3, by adding a subdivision; 144.0724, as amended; 144.551, subdivision 1; 145.4131, subdivision 1; 165.15, subdivision 2; 169.826, by adding a subdivision; 169.8261, by adding a subdivision; 169.86, subdivision 5; 169.863, by adding a subdivision; 169.865, subdivisions 1, 2, by adding a subdivision; 169.866, subdivision 3, by adding a subdivision; 174.24, by adding a subdivision; 174.56, subdivision 1, by adding a subdivision; 179.02, by adding a subdivision; 181A.07, by adding a subdivision; 219.015, subdivisions 1, 2; 243.167, subdivision 1; 245A.03, subdivision 2c; 245C.03, by adding a subdivision; 245C.04, by adding a subdivision; 245C.05, subdivision 5; 245C.10, by adding a subdivision; 245C.33, subdivisions 1, 4; 252.27, by adding a subdivision; 252.451, subdivision 2; 254B.12; 256.01, by adding a subdivision; 256.9685, subdivisions 1, 1a; 256.9686, subdivision 2; 256.969, subdivisions 1, 2, 2b, 3a, 3b, 3c, 6a, 8, 8a, 9, 10, 12, 14, 17, 18, 25, 30, by adding subdivisions; 256.9752, subdivision 2; 256B.04, by adding a subdivision; 256B.0625, subdivisions 18b, 18c, 18d, 18g, 30, by adding a subdivision; 256B.0751, by adding a subdivision; 256B.199; 256B.35, subdivision 1; 256B.431, by adding a subdivision; 256B.434, by adding a subdivision; 256B.441, by adding a subdivision; 256B.5012, by adding a subdivision; 256I.04, subdivision 2b; 256I.05, subdivision 2; 256J.49, subdivision 13; 256J.53, subdivisions 1, 2, 5; 256J.531; 257.85, subdivision 11; 260C.212, subdivision 1; 260C.515, subdivision 4; 260C.611; 299F.012, subdivisions 1, 2; 469.084, by adding a subdivision; 473.408, by adding a subdivision; 609.135, subdivision 2; 609.3451, subdivision 3; 611A.06, by adding a subdivision; Minnesota Statutes 2013 Supplement, sections 16A.724, subdivision 2; 123B.53, subdivisions 1, 5; 123B.54; 123B.75, subdivision 5; 124D.11, subdivision 1; 124D.111, subdivision 1; 124D.165, subdivision 5; 124D.531, subdivision 1; 124D.65, subdivision 5; 124D.862, subdivisions 1, 2; 125A.0942; 125A.11, subdivision 1; 125A.76, subdivisions 1, 2a, 2b, 2c; 125A.79, subdivisions 1, 5, 8; 126C.05, subdivision 15; 126C.10, subdivisions 2, 2a, 2d, 24, 31; 126C.17, subdivisions 6, 7b, 9, 9a; 126C.44; 126C.48, subdivision 8; 127A.47, subdivision 7; 145.4716, subdivision 2; 168.123, subdivision 2; 174.42, subdivision 2; 245.8251; 245A.03, subdivision 7; 245A.042, subdivision 3; 245A.16, subdivision 1; 245C.08, subdivision 1; 245D.02, subdivisions 3, 4b, 8b, 11, 15b, 29, 34, 34a, by adding a subdivision; 245D.03, subdivisions 1, 2, 3, by adding a subdivision; 245D.04, subdivision 3; 245D.05, subdivisions 1, 1a, 1b, 2, 4, 5; 245D.051; 245D.06, subdivisions 1, 2, 4, 6, 7, 8; 245D.071, subdivisions 3, 4, 5; 245D.081, subdivision 2; 245D.09, subdivisions 3, 4a; 245D.091, subdivisions 2, 3, 4; 245D.10, subdivisions 3, 4; 245D.11, subdivision 2; 256B.04, subdivision 21; 256B.056, subdivision 5c; 256B.0625, subdivisions 17, 18e; 256B.0949, subdivisions 4, 11; 256B.439, subdivisions 1, 7; 256B.441, subdivision 53; 256B.4912, subdivision 1; 256B.492; 256B.69, subdivision 34; 256B.85, subdivisions 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 23, 24, by adding subdivisions; 256N.22, subdivisions 1, 2, 4; 256N.23, subdivision 4; 256N.25, subdivisions 2, 3; 256N.26, subdivision 1; 256N.27, subdivision

4; Laws 2008, chapter 363, article 5, section 4, subdivision 7, as amended; Laws 2009, chapter 83, article 1, section 10, subdivision 7; Laws 2010, chapter 189, sections 15, subdivision 12; 26, subdivision 4; Laws 2012, chapter 249, section 11; Laws 2012, chapter 263, section 1; Laws 2012, chapter 287, article 2, sections 1; 3; Laws 2012, First Special Session chapter 1, article 1, section 28; Laws 2013, chapter 1, section 6, as amended; Laws 2013, chapter 85, article 1, sections 3, subdivisions 2, 5, 6; 4, subdivisions 1, 2; 5; 13, subdivision 5; Laws 2013, chapter 86, article 1, sections 12, subdivision 3, as amended; 13; Laws 2013, chapter 108, article 1, section 24; article 3, section 48; article 7, sections 14; 49; article 14, sections 2, subdivisions 1, 4, as amended, 5, 6, as amended; 3, subdivisions 1, 4; 4, subdivision 8; 12; Laws 2013, chapter 114, article 3, section 4, subdivision 3; Laws 2013, chapter 116, article 1, section 58, subdivisions 2, 3, 4, 5, 6, 7, 11; article 3, section 37, subdivisions 3, 4, 5, 6, 8, 11, 15, 20; article 4, section 9, subdivision 2; article 5, section 31, subdivisions 2, 3, 4, 8; article 6, section 12, subdivisions 2, 3, 4, 5, 6; article 7, section 21, subdivisions 2, 3, 4, 6, 7, 9; article 8, section 5, subdivisions 2, 3, 4, 10, 11, 14; article 9, sections 1, subdivision 2; 2; Laws 2013, chapter 117, article 1, sections 3, subdivisions 2, 3; 4; proposing coding for new law in Minnesota Statutes, chapters 8; 18B; 19; 84; 85; 87A; 115E; 116; 116J; 123A; 123B; 124D; 129C; 144; 144A; 145; 168; 219; 299A; 347; 473; proposing coding for new law as Minnesota Statutes, chapter 12B; repealing Minnesota Statutes 2012, sections 115A.551, subdivision 2; 116J.997; 123B.71, subdivision 1; 256.969, subdivisions 2c, 8b, 9a, 9b, 11, 13, 20, 21, 22, 26, 27, 28; 256.9695, subdivisions 3, 4; Minnesota Statutes 2013 Supplement, sections 256B.0625, subdivision 18f; 256N.26, subdivision 7.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

Senator Bakk from the Committee on Rules and Administration, to which was re-referred

S.F. No. 2066: A bill for an act relating to state government; creating a Legislative Commission on Data Practices and Personal Data Privacy; proposing coding for new law in Minnesota Statutes, chapter 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, delete "five" and insert "four"

Page 1, line 13, delete "five" and insert "four" and delete "No more than"

Page 1, line 14, delete "three" and insert "Two" and delete "may" and insert "must" and after the second "chamber" insert "and two members from each chamber must be from the minority party in that chamber"

Page 1, line 16, after the period, insert "The commission may elect up to four former legislators who have demonstrated an interest in, or have a history of working in, the areas of government data practices and personal data privacy to serve as nonvoting members of the commission. The former legislators must not be registered lobbyists and shall be compensated as provided under section 15.0575, subdivision 3."

Page 1, line 19, after "for" insert "a seat of a current legislator for"

Page 2, after line 9, insert:

"Subd. 7. **Expiration.** This section expires June 30, 2017."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Pappas from the Committee on State and Local Government, to which was referred the following appointment:

OFFICE OF ADMINISTRATIVE HEARINGS
CHIEF ADMINISTRATIVE LAW JUDGE
Tammy L. Pust

Reports the same back with the recommendation that the appointment be confirmed.

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Pappas from the Committee on State and Local Government, to which were referred the following appointments:

BOARD OF THE ARTS
Wendy Dayton
David Glenn
Thomas Moss

Reports the same back with the recommendation that the appointments be confirmed.

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Pappas from the Committee on State and Local Government, to which was referred the following appointment:

GAMBLING CONTROL BOARD
Kenneth Koch

Reports the same back with the recommendation that the appointment be confirmed.

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. No. 2066 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Saxhaug and Jensen introduced—

S.F. No. 2952: A bill for an act relating to insurance; no-fault auto; adjusting certain dollar amounts to reflect inflation; modifying the limitation on damages for noneconomic detriment; amending Minnesota Statutes 2012, sections 65B.44, subdivisions 1, 3, 4, 5, 6, 7; 65B.45, subdivision 2; 65B.49, subdivisions 3, 3a; 65B.51, subdivision 3; 65B.525, subdivision 1; 65B.54, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 65B.

Referred to the Committee on Commerce.

Senators Jensen and Gazelka introduced—

S.F. No. 2953: A bill for an act relating to insurance; permitting an individual who has an individual health insurance policy to contract with an independent insurance agent or broker to advocate on the individual's behalf with the individual's insurance company; amending Minnesota Statutes 2012, sections 60K.31, by adding subdivisions; 60K.49, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62V.

Referred to the Committee on Commerce.

Senator Jensen introduced—

S.F. No. 2954: A bill for an act relating to capital investment; appropriating money for a grant to District One Hospital to stabilize Johnston Hall.

Referred to the Committee on Finance.

Senator Osmek introduced—

S.F. No. 2955: A bill for an act relating to transportation; prohibiting activities in connection with Southwest light rail transit.

Referred to the Committee on Transportation and Public Safety.

Senators Brown, Anderson, Kiffmeyer, Osmek and Newman introduced—

S.F. No. 2956: A bill for an act relating to public safety; preventing infringement on the right to keep and bear arms; proposing coding for new law in Minnesota Statutes, chapter 624.

Referred to the Committee on Judiciary.

Senators Brown, Hall, Ruud and Limmer introduced—

S.F. No. 2957: A bill for an act relating to health; requiring the physical presence of a physician and follow-up visits when drugs or chemicals are used to induce an abortion; providing criminal penalties; amending Minnesota Statutes 2012, section 145.412, subdivision 1.

Referred to the Committee on Health, Human Services and Housing.

Senator Marty introduced—

S.F. No. 2958: A bill for an act relating to civil law; authorizing marriage solemnization by atheist and humanist celebrants; amending Minnesota Statutes 2013 Supplement, sections 517.05; 517.18, by adding a subdivision.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS

Senator Nelson moved that her name be stricken as a co-author to S.F. No. 208. The motion prevailed.

Senator Jensen moved that the name of Senator Dahle be added as a co-author to S.F. No. 2045. The motion prevailed.

Senator Sheran moved that the name of Senator Eaton be added as a co-author to S.F. No. 2073. The motion prevailed.

Senator Dziejdzic moved that the name of Senator Rest be added as a co-author to S.F. No. 2941. The motion prevailed.

Senator Metzen moved that the name of Senator Pederson, J. be added as a co-author to S.F. No. 2947. The motion prevailed.

Senator Saxhaug moved that the name of Senator Anderson be added as a co-author to S.F. No. 2951. The motion prevailed.

Senator Miller introduced –

Senate Resolution No. 200: A Senate resolution honoring Steve Slaggie on the occasion of his retirement from the Board of Directors for the Fastenal Company.

Referred to the Committee on Rules and Administration.

Senator Miller introduced –

Senate Resolution No. 201: A Senate resolution honoring Bob Kierlin on the occasion of his retirement from the Board of Directors for the Fastenal Company.

Referred to the Committee on Rules and Administration.

MEMBERS EXCUSED

Senators Benson; Brown; Carlson; Chamberlain; Dahms; Gazelka; Housley; Kent; Kiffmeyer; Metzen; Miller; Nelson; Ortman; Osmek; Pappas; Petersen, B.; Reinert; Rosen; Ruud; Senjem; Sparks; Thompson; Tomassoni and Torres Ray were excused from the Session of today.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Monday, April 7, 2014. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

